

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

JAMIE LEE DANIELS,

Plaintiff,

VS.

LT GUTHRIE, *et al.*,

Defendants.

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NO. 3:11-CV-168 (CAR)

**Proceedings Under 42 U.S.C. §1983
Before the U.S. Magistrate Judge**

RECOMMENDATION TO DISMISS

Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, Plaintiffs have a duty to prosecute their actions diligently or face the possibility of involuntary dismissal. Diligent prosecution includes keeping all parties and the Court advised of a current valid mailing address. Plaintiff Daniels has failed to do so. According to the docket report in this case, the following documents were mailed to Plaintiff by the Court and have been returned as undeliverable:

1. Doc. 8 - Letter from Plaintiff requesting copy of complaint. (Copy sent)
(Mailed December 29, 2011, Returned on January 10, 2012)
2. Doc. 9 - Order on Motion to Reopen Case.
(Mailed January 6, 2012, Returned on January 12, 2012)
3. Doc. 14- Order to Show Cause.
(Mailed January 13, 2012, Returned on January 25, 2012)

In light of Plaintiff's failure to keep the Court apprised of his current address and failure to prosecute this action, it appears that Plaintiff has abandoned his claims. Accordingly, **IT IS RECOMMENDED** that the instant action be **DISMISSED** with prejudice. Pursuant to 28 U.S.C.

§ 636(b)(1), the parties may serve and file written objections to this recommendation with the district judge to whom this case is assigned, **WITHIN FOURTEEN (14) DAYS** after being served with a copy thereof. The Clerk is directed to serve Plaintiff at the **LAST ADDRESS** provided by him.

SO RECOMMENDED, this 17th day of February, 2012.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge